IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of:

Mark J. STEFIK et al.

Divisional Application of Serial No. 08/967,084

Divisional Filing Date: February 7, 2001

Filed: February 7, 2001

For: SYSTEM FOR CONTROLLING THE

DISTRIBUTION AND USE OF DIGITAL WORKS USING

Art Unit:

INFORMATION DISCLOSURE STATEMENT

Director of Patents and Trademarks Washington, D.C. 20231

**DIGITAL TICKETS** 

February 7, 2001

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56 and 37 C.F.R. §§ 1.97-1.99, it is requested that the references listed on the attached Form PTO-1449 be made of record in the above-identified application. Copies of the references are submitted herewith in accordance with 37 C.F.R. §§ 1.98(a).

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that this reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 19-2380.

Respectfully submitted,

Jason H. Vick

Registration No.45,285

Attorney Docket No. 111325-49 NIXON PEABODY LLP 8180 Greensboro Drive, Suite 800 McLean, VA 22102 Telephone; (703) 790-9110

NVA169856.1

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCÉ
respond to a collection of information unless it contains a valid OMB control number

Substitute	e for form 1449A/PTO			Complete if Known		
INFO	DMATION I	NISC	Adiibu	Application Number		<u>`</u> `.₹
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	February 7, 2001	_ \( \begin{array}{c} \
				First Named Inventor	Mark J. STEFIK et al.	
	(use as many sheets	as necesso	ry)	Group Art Unit		<u>ි</u> පි <b>උ</b>
				Examiner Name		ୂ ପୂ
Sheet	1	of	4	Attorney Docket Number	111325-49	

	_		U.S. PATENT DOCUMEN	rs	
Examiner Initials	Cite No.1	U.S. Patent Document  Number Kind Code <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevar Passages or Relevant Figures Appear
	-	(if known)			
		4,529,870	Chaum	07-16-1985	
		4,658,093	Hellman	04-14-1987	
		4,924,378	Hershey et al.	05-08-1990	
		4,932,054	Chou et al.	06-05-1990	
		4,937,863	Robert et al.	06-26-1990	
		4,953,209	Ryder, Sr. et al.	08-28-1990	
		4,961,142	Elliott et al.	10-02-1990	
		4,977,594	Shear	12-11-1990	
		5,010,571	Katznelson	04-23-1991	
		5,014,234	Edwards, Jr.	05-07-1991	
	Ĭ	5,023,907	Johnson et al.	06-11-1991	
		5,047,928	Wiedemer	09-10-1991	
		5,050,213	Shear	09-17-1991	
		5,058,164	Elmer et al.	10-15-1991	
	İ	5,103,476	Waite et al.	04-07-1992	
		5,113,519	Johnson et al.	05-12-1992	
		5,138,712	Corbin	08-11-1992	
		5,146,499	Geffrotin	09-08-1992	
	1	5,159,182	Eisele	10-27-1992	
		5,191,193	Le Roux	03-02-1993	
	<u> </u>	5,204,897	Wyman	04-20-1993	
	<u> </u>	5,247,575	Sprague et al.	09-21-1993	
		5,291,596	Mita	03-01-1994	
	1	5,339,091	Yamazaki et al.	08-16-1994	
	1	5,455,953	Russell	10-03-1995	
	+	3,133,733	14455011	10 05 1775	
	1				-

			FOREIGN PATENT DO	CUMENTS					
Examiner Initials	Cite No.1	Foreign Patent Document Kind C	Name of Patentee or  Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>			
		Office <sup>3</sup> Number <sup>4</sup> (if kn							
		0 332 707 A1	EP	09-20-1989					
		WO/92 20022	PCT	11-12-1992					
		93/01550	PCT	21-01-1993					
		OTHER PR	IOR ART – NON PATENT LIT	ERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(s), volume-issue number(s), publisher, city and/or country where published.							
		Weber, R., "Metering Technologies For Digital Intellectual Property," A Report to the International Federation of Reproduction Rights Organizations, October 1994, pp. 1-29.							



Complete if Known Substitute for form 1449A/PTO Application Number INFORMATION DISCLOSURE February 7, 2001 Filing Date STATEMENT BY APPLICANT First Named Inventor Mark J. STEFIK et al. (use as many sheets as necessary) Group Art Unit Examiner Name Sheet Attorney Docket Number 111325-49 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the T<sup>2</sup> item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(s), volume-issue number(s), publisher, city and/or country where published. Initials' Clark, P.C. and Hoffman, L.J., "Bits: A Smartcard Protected Operating System," Communications of the ACM, November 1994, Vol. 37, No. 11, pp. 66-70, and 94. Ross, P.E., "Data guard", Forbes, June 6, 1994, pp 101. Saigh, W.K., "Knowledge is Sacred," Video Pocket/Page Reader Systems, Ltd., 1992. Kahn, R.E., "Deposit, Registration And Recordation In An Electronic Copyright Management System," Corporation for National Research Initiatives, Virginia, August 1992, pp. 1-19. Hilts, P., Mutter, J., and Taylor, S., "BOOKS While U Wait," Publishers Weekly, January 3, 1994, pp. 48-50. Strattner, A., "Cash register on a chip' may revolutionize software pricing and distribution; Wave Systems Corp.,' Computer Shopper. Copyright, April 1994, Vol.14; No.4; pg.62; ISSN 0886-0556. O'Conner, M.A., "New distribution option for electric publishers; iOpener data encryption and metering system for CD-ROM use; Column," CD-ROM Professional, Copyright, March 1994, Vol. 7; No. 2; pg. 134; ISSN: 1049-0833. Willett, S., "Metered PCs: Is your system watching you?"; Wave Systems beta tests new technology,' InfoWorld, Copyright, May 2, 1994, pg. 84. Linn, R.J., "Copyright and Information Services in the Context of the National Research and Education Network<sup>1</sup>," IMA Intellectual Property Project Proceedings, January 1994, Vol. 1, Issue 1, pp. 9-20. Perritt, Jr., H.H., "Permissions Headers and Contract Law," IMA Intellectual Property Project Proceedings, January 1994, Vol. 1, Issue 1, pp. 27-48. Upthegrove, L., and Roberts, R., "Intellectual Property Header Descriptors: A Dynamic Approach," IMA Intellectual Property Project Proceedings, January 1994, Vol. 1, Issue 1, pp. 63-66. Sirbu, M.A., "Internet Billing Service Design and Prototype Implementation," IMA Intellectual Property Project Proceedings, January 1994, Vol.1, Issue 1, pp. 67-80.

Substitute for form 1449A/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)					Complete if Known				
					Application Number Filing Date February 7, 2001				
					First Named Inventor	Mark J. STEFIK et al.			
					Group Art Unit				
					Examiner Name				
3	Attorney Docket of 4			4	Attorney Docket Number 111325-49				
Number					<u></u>				
				OTHER PRIOR A	RT – NON PATENT LITERATUR	RE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>				r (in CAPITAL LETTERS), title of the article (when appropriate), title of the rnal, serial, symposium, catalog, etc.)., date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		Purpose	Appr			g of Resources: Kala's General et Proceedings, January 1994, Vol.			
		Kahn, R.E., "Deposit, Registration and Recordation in an Electronic Copyright Management System," <i>IMA Intellectual Property Project Proceedings</i> , January 1994, Vol. 1, Issue 1, pp. 111-120.							
		Tygar, J.D., and Bennet, Y., "Dyad: A System for Using Physically Secure Coprocessors," <i>IMA Intellectual Property Project Proceedings</i> , January 1994, Vol. 1, Issue 1, pp. 121-152.							
		Griswold, G.N., "A Method for Protecting Copyright on Networks," IMA Intellectual Property Project Proceedings, January 1994, Vol. 1, Issue 1, pp. 169-178.							
		Nelson, T.H., "A Publishing and Royalty Model for Networked Documents," IMA Intellectual Property Project Proceedings, January 1994, Vol. 1, Issue 1, pp. 257-259.							
		Europea	n Sea	rch Report for	Corresponding European	Application 95308422.5			
					RALIZED PROCESSING 986, pp. 119-131.	G OF DOCUMENTS, Comput. &			
						CEPT AND THE ARCHITECTURE, D, Tokyo, JP, pp. 1133-1146.			
			nducto	or and EPR Pa		Inc. (EPR) entitled "National ering/Data Security Cards", dated			
		Weber,	R., "D	Digital Rights I	Management Technology"	, October 1995.			

Examiner		Date	•
Signature	÷	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup>Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language franslation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.